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SUBJECT: S/GC SPECIAL ENVOY MEETING WITH ALGERIAN AMBASSADOR BAALI

CLASSIFIED BY S/GC S/E AMBASSADOR DANIEL FRIED. REASONS 1.4 (B)& (D).

11. (S) SUMMARY: Special Envoy for the Closure of Guantanamo Bay Detention Facility Ambassador Daniel Fried met with Algerian Ambassador Abdallah Baali on December 4 to ascertain GOA willingness to accept Algerians who do not wish to return to Algeria, and specifically, GOA willingness to receive one hard-core Takfiri extremist who does not want to return. Thus far, Algeria has a positive track record on repatriations from Guantanamo, i.e., the Department is not aware of any allegations of post-transfer mistreatment. In contrast, the U.S. cannot return detainees to Tunisia, Libya, Egypt, and Syria because of treatment concerns, or to Yemen in large numbers because of security concerns. Baali assured Fried that he would immediately convey the message to Algiers, and then brief FM Medelci prior to his December 7 meeting with the Secretary. Agreeing with Fried's assessment of the difficulty of resolving the Yemeni detainee issue, Baali commented that Yemen was beginning to look like a failed state. Pointing to his country's own experience with domestic terrorism, Baali said the GOA sought to reintegrate former fighters into Algerian society. END SUMMARY.

12. (S) Special Envoy for the Closure of Guantanamo Bay Detention Facility Ambassador Daniel Fried met with Algerian Ambassador Abdallah Baali on December 4 to ascertain GOA willingness to accept Algerians who do not wish to return to Algeria, and specifically, GOA willingness to receive one hard-core Takfiri extremist who does not want to return.

13. (S) Fried said Algerian nationals have been returned to Algeria successfully, i.e., to our knowledge, without any mistreatment allegations or terrorist re-engagement. He said he understood that Algeria had said it is only interested in receiving detainees who want to return, but that the U.S. needs Algeria's help to close Guantanamo, which would entail GOA willingness to accept involuntary repatriations.

14. (C) Fried underscored USG willingness to return to Algeria those Algerians eligible for transfer, including those with injunctions. The track record of returned detainees to Algeria is positive, he said, citing Algerian legal processes and humane treatment. On that basis, the USG has made representations to the courts to that effect. Fried pointed out that the six who have injunctions are not dual nationals and have no other option but to return to Algeria if their injunctions are lifted.

15. (C) In contrast to Algeria's positive track record, the U.S. is unable to return nationals to Tunisia, Libya, Egypt, and Syria because of humane treatment concerns, thus requiring their resettlement in third countries. There are some 35-40 Guantanamo detainees in this category. Resettlement in third countries is difficult and capacity is limited. Libyans and Tunisians, rather than Algerians would be the priority for resettlement, given treatment concerns.

16. (S) Noting the upcoming December 7 meeting between Secretary Clinton and Algerian FM Medelci, Fried gave Baali an overview of the Algerian detainees at Guantanamo. At present, 11 Algerians remain in detention. Eight are eligible for return to Algeria, three are under consideration for prosecution. Of the eight eligible for transfer, one (Hasan Zamiri - ISN 533) has expressed willingness to return to Algeria, six Algerians have obtained injunctions to prevent their

return. The eighth Algerian (Adel Hamlili) is a life-long jihadist since the age of ten who does not want to return to Algeria. Additionally, he represents a higher level of threat than previously returned Algerians.

¶7. (C) Fried said the files on Zamiri and Hamlili had been recently passed to the GOA. His staff will request the intelligence community process the files of the six other Algerians for turnover to the GOA. Fried said he assumed the GOA would accept Zamiri but he would await the GOA response.

¶8. (C) Baali said he will inform Algiers of this meeting immediately and brief FM Medelci on Fried's query prior to Medelci's meeting with the Secretary. The Secretary can then refer to this meeting without having a prolonged discussion on the subject.

¶9. (S) Commenting on other Guantanamo detainee matters, Fried noted the difficulty of resolving the Yemeni detainee issue, in light of the current security situation there. Baali agreed, noting that Yemen was beginning to look like a failed state, given the fighting in the north and the south, the presence of al-Qaida, and the various tribal machinations. Pointing to the political violence in Algeria throughout the 90's Baali said Algeria had had its own experience with domestic terrorism. The GOA worked to re-integrate former terrorists into Algerian society. Some had even received financial support from the government, which angered some victims of terrorism.

A small number had returned to terrorism, citing the existence of AQIM. Citing the recent trials in Algeria of former Guantanamo detainees, Baali said two former detainees had been acquitted, and that all were now free. Baali commented that the Saudis have a good rehabilitation program.

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